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VIA ECF

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
Hon. Joan M. Azrack
944 Federal Plaza
Central Islip, New York 11722

Re: D'Aguino et al. v. Garda Cl Atlantic Inc., Adkins et al v. Garda
CL Atlantic, Inc.
No. CV 16 00641 (JMA)(AKT)-LDW-AKT

Dear Justice Azrack:

On behalf of Plaintiffs KEREM BAY, LANA BONGIOVI, CLEMENT CAMPBELL, ANGELO CAROPOLA, ALEXANDER CIOFFI, PATRICK H.CRAIN, DAVID CRONK, DENNIS DELUCIE, CHARLES J. ENGEL, MATTHEW FARRELL, BENNY FAILLA, ROBERT J. GIANI, JOHN R. LACKENBAUER, WILLIAM J. MAHER, MICHAEL G. MCDOWELL, JOHN ROSSI, WILLIAM R. SHANNON, FRED H. SMITH, GARY E. SOBEK, DAMIAN SOBERS, CARMELA SZYMANSKI, ANTHONY TANZA, and CYNTHIA TORRES a pre-motion conference is requested for Plaintiffs' motion to reduce the amount in controversy for these Plaintiffs to \$75,000.00 and to remand their complaint to state court is hereby requested.

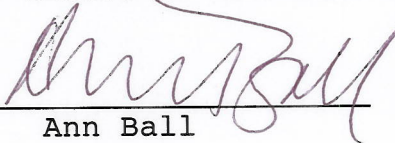
As the Court is aware, Defendant removed the above captioned action to federal court on diversity grounds. This matter was originally commenced, on New York State statutory grounds only, in New York State Supreme Court, where notice pleading is sufficient. Defendants prevailed on its motion to dismiss the complaints of all but three of the original plaintiffs on the ground the complaints of the remaining Plaintiffs did not comply with federal pleading standards; the claims of those three Plaintiffs were settled in mediation.

In view of the fact the amount in controversy is reduced to \$75,000.00, there are no federal claims in plaintiffs' complaint, the

Supreme Court action was neither discontinued nor dismissed, and the remaining plaintiffs have good and meritorious New York State Statutory claims, Plaintiffs respectfully seek remand of their actions to state court.

For the reasons set forth herein, Plaintiffs respectfully request the pre-motion conference be granted.

Respectfully submitted,
Law Office of Ann Ball P.C.



Ann Ball